

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FALCON CREST HOLDINGS, LLC, §
§
Plaintiff, §
§
§
v. § Civil Action No.: 4:24-cv-00535-O
§
§
§
RVR AVIATION, LLC, RON §
WHITEHEAD, STEVE RODDY, JEFF §
PREY, and JOHN PETERSEN, §
§
Defendants. §
§

PLAINTIFF'S NOTICE OF DISMISSAL UNDER RULE 41(a)(1)(A)(i)

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COMES NOW, FALCON CREST HOLDINGS, LLC (“Plaintiff” herein), and hereby dismisses this suit in its entirety without prejudice pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure.

In support hereof, Plaintiff respectfully shows the Court as follows:

1. Plaintiff filed suit against Defendants RVR Aviation, LLC, Ron Whitehead, Steve Roddy, Jeff Prey, and John Petersen, (collectively “Defendants” herein) on or about June 10, 2024.
2. Defendants, on or about July 3, 2024 made their first appearance in this action via Motion to Dismiss. No other answer, counter-claims, or motion for summary judgment have been filed by any Defendant.
3. On or about September 19, 2024 the parties submitted an Agreed Motion to Continue Deadlines and Submit Rule 26F Report, which was granted. The parties were then given an PLAINTIFF'S MOTION FOR DISMISSAL OF ALL CLAIMS AGAINST DEFENDANTS WITHOUT PREJUDICE

October 21, 2024 deadline in which to submit a Joint Report Regarding Contents of Scheduling Order.

4. Since said time, and as of today, Plaintiff and Defendants have reached agreement which calls for the dismissal of this case without prejudice.
5. Therefore, Plaintiff hereby dismisses this case in its entirety without prejudice.

Respectfully submitted,

McCATHERN, PLLC

/s/ Justin N. Bryan
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

The undersigned certifies that Plaintiff conferred with Defendants' counsel and Defendants do not oppose this dismissal without prejudice.

/s/ Justin N. Bryan
Justin N. Bryan

CERTIFICATE OF SERVICE

The undersigned certifies that on October 3, 2024, a true and correct copy of the above and foregoing document was served upon the parties in accordance with the Federal Rules of Civil Procedure.

Via ECF Service

Kenneth W. Biermacher
Donald A. Waltz
Andrew D. Robertson
Kane Russell Coleman Logan, PC
901 Main Street, Suite 5200
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/s/ *Justin N. Bryan*

Justin N. Bryan